

§ 355.50

40 CFR Ch. I (7–1–02 Edition)

of this paragraph, a *transportation-related release* means a release during transportation, or storage incident to transportation if the stored substance is moving under active shipping papers and has not reached the ultimate consignee.

[52 FR 13395, Apr. 22, 1987, as amended at 54 FR 22543, May 24, 1989; 55 FR 30188, July 24, 1990; 63 FR 13475, Mar. 19, 1998; 64 FR 13115, Mar. 17, 1999]

§ 355.50 Penalties.

(a) *Civil penalties.* Any person who fails to comply with the requirements of § 355.40 shall be subject to civil penalties of up to \$25,000 for each violation in accordance with section 325(b)(1) of the Act.

(b) *Civil penalties for continuing violations.* Any person who fails to comply

with the requirements of § 355.40 shall be subject to civil penalties of up to \$25,000 for each day during which the violation continues, in accordance with section 325(b)(2) of the Act. In the case of a second or subsequent violation, any such person may be subject to civil penalties of up to \$75,000 for each day the violation continues, in accordance with section 325(b)(2) of the Act.

(c) *Criminal penalties.* Any person who knowingly and willfully fails to provide notice in accordance with § 355.40 shall, upon conviction, be fined not more than \$25,000 or imprisoned for not more than two (2) years, or both (or, in the case of a second or subsequent conviction, shall be fined not more than \$50,000 or imprisoned for not more than five (5) years, or both) in accordance with section 325(b)(4) of the Act.

APPENDIX A TO PART 355—THE LIST OF EXTREMELY HAZARDOUS SUBSTANCES AND THEIR THRESHOLD PLANNING QUANTITIES

[Alphabetical Order]

CAS No.	Chemical name	Notes	Reportable quantity * (pounds)	Threshold planning quantity (pounds)
75–86–5	Acetone Cyanohydrin .....		10	1,000
1752–30–3	Acetone Thiosemicarbazide .....		1,000	1,000/10,000
107–02–8	Acrolein .....		1	500
79–06–1	Acrylamide .....	l	5,000	1,000/10,000
107–13–1	Acrylonitrile .....	l	100	10,000
814–68–6	Acrylyl Chloride .....	h	100	100
111–69–3	Adiponitrile .....	l	1,000	1,000
116–06–3	Aldicarb .....	c	1	100/10,000
309–00–2	Aldrin .....		1	500/10,000
107–18–6	Allyl Alcohol .....		100	1,000
107–11–9	Allylamine .....		500	500
20859–73–8	Aluminum Phosphide .....	b	100	500
54–62–6	Aminopterin .....		500	500/10,000
78–53–5	Amiton .....		500	500
3734–97–2	Amiton Oxalate .....		100	100/10,000
7664–41–7	Ammonia .....	l	100	500
300–62–9	Amphetamine .....		1,000	1,000
62–53–3	Aniline .....	l	5,000	1,000
88–05–1	Aniline, 2,4,6-Trimethyl- .....		500	500
7783–70–2	Antimony Pentafluoride .....		500	500
1397–94–0	Antimycin A .....	c	1,000	1,000/10,000
86–88–4	ANTU .....		100	500/10,000
1303–28–2	Arsenic Pentoxide .....		1	100/10,000
1327–53–3	Arsenous Oxide .....	h	1	100/10,000
7784–34–1	Arsenous Trichloride .....		1	500
7784–42–1	Arsine .....		100	100
2642–71–9	Azinphos-Ethyl .....		100	100/10,000
86–50–0	Azinphos-Methyl .....		1	10/10,000
98–87–3	Benzal Chloride .....		5,000	500
98–16–8	Benzenamine, 3-(Trifluoromethyl)- .....		500	500
100–14–1	Benzene, 1-(Chloromethyl)-4-Nitro- .....		500	500/10,000
98–05–5	Benzeneearsonic Acid .....		10	10/10,000
3615–21–2	Benzimidazole, 4,5-Dichloro-2-(Trifluoromethyl)- .....	g	500	500/10,000
98–07–7	Benzotrichloride .....		10	100
100–44–7	Benzyl Chloride .....		100	500
140–29–4	Benzyl Cyanide .....	h	500	500
15271–41–7	Bicyclo[2.2.1]Heptane-2-Carbonitrile, 5-Chloro-6-(((Methylamino)Carbonyl)Oxy)Imino)-, (1s-(1-alpha,2-beta,4-alpha,5-alpha,6E))- .....		500	500/10,000
534–07–6	Bis(Chloromethyl) Ketone .....		10	10/10,000